

**THE GROVE AT HUNTLEY MEADOWS
HOMEOWNERS ASSOCIATION
POLICY RESOLUTION 05-02**

**(Rules Relating to the Suspension of Privileges for
Non-Payment of Assessments)**

WHEREAS, under Article VII, Section I(c) of the Bylaws: The Board of Directors shall have all powers to conduct the affairs of the Association; and

WHEREAS, The Board of Directors adopted Policy Resolution No. 05-01 which provides that the Board of Directors may suspend the rights of any owner whose account is delinquent;

WHEREAS, Article II, Section 1 (a) of the Declaration of Covenants, Conditions and Restrictions provides that the Board of Directors shall have the right to suspend the owner's, the owner's family members, tenants, guest or invitees right to use the Common Area (except for the private streets or access ways) and the voting rights for any period during which an assessment against his/her lot remains unpaid; and for a period not to exceed sixty (60) days for an infraction of its published rules and regulations.

WHEREAS, the Board deems it to be in the best interest of the Association to adopt a uniform and systematic procedure for suspension of the rights of any owner whose account is delinquent by more than **sixty (60) days**. The suspension shall include, but not limited to, the denial of voting rights, the denial of the right to serve on the Board or any Committee, and the denial of recreational facility privileges.

NOW, THEREFORE, BE IT HEREBY RESOLVED, THAT the procedures for enacting suspension of privileges will be as follows:

1. The Association shall deliver by hand or by certified mail, return receipt requested and first class mail to the owner's address listed in the Association's records, and to the property address, if the owner's listed address is different from the property address written notice of the owner's suspension of privileges, which shall advise the owner of his/her right to request a hearing before the Board of Directors. The notice of suspension shall request the owner to confirm in writing by a certain date his/her desire for a hearing to contest the suspension. Notification will be deemed effective if any owner fails or refuses to sign for any certified or registered mailing from the Association.
2. If the owner does not pay all past due assessments in full by certified funds or in such other manner required by the Association's management company prior to the effective date set forth in the notice, and the owner has not requested a hearing in writing by or before the hearing confirmation date, the owner shall be deemed to have waived the right to a hearing and the Board of Directors shall suspend the

owner's privileges pursuant to the authority granted in Section 55-513 of the Virginia Code and the Association's governing documents. The Board of Directors shall not be required to conduct a hearing unless the owner formally requests a hearing in writing by or before the deadline set forth in the notice of suspension.

3. If the owner requests a hearing in writing by or before the deadline, the Board of Directors shall set the time, date and place of the hearing at its discretion. Written notice of the time, date and place of the hearing shall be delivered to the owner by hand or by certified mail, return receipt requested and first class mail at least fourteen (14) days prior to the hearing.
4. Failure of the owner to attend the hearing on the scheduled date shall be deemed by the Board to constitute a waiver of the owner's right to such hearing, and the Board may effect the suspension of membership rights as if the Board completed the hearing with a judgment unfavorable to the owner.
5. At the hearing, the Board of Directors shall provide the owner with a reasonable amount of time to present any and all defenses. The owner has the right to be represented by counsel before the Board of Directors or other tribunal specified in the documents.
6. Following the hearing, the Board of Directors shall meet in executive session to discuss the case. After issuing its ruling during open session, the Board shall send a written notice of its ruling to the owner. The hearing result shall be hand delivered or mailed by certified mail, return receipt requested and first class mail to the owner within **seven (7) days** of the hearing.
7. If the decision by the Board is unfavorable to the owner, the notice shall also advise the owner of the effective date of the suspension.
8. Any suspension shall remain in effect until the entire balance of assessments, including any charges or fees associated with the collection or reinstatement process have been paid in full in such manner as is required by the Association's management company.
9. The Board of Directors shall not issue a pool pass to any owner, the owner's family members, tenants, guests or invitees whose account has been delinquent for more than sixty 60 days. In order to obtain a pool pass before the start of the pool season, a delinquent owner must pay the balance owed in full, including any charges or fees associated with the collection and re-instatement process. Upon receipt of payment in full, the Association shall restore recreational facility privileges.

10. If the Board issues an owner with a pool pass, and the owner later becomes delinquent more than 60 days during the pool season, the Board shall enact the procedures of this resolution to suspend the owner's privileges.
11. The Board of Directors reserves the power to hold owners legally responsible for ensuring that their renters/tenants, guests, or invitees comply with the Association's governing documents.

The procedures outlined in this Resolution may be applied to all violations of the Association's Regulations, but do not preclude the Association from exercising other enforcement procedures and remedies authorized by the Association's legal documents, including, but not limited to, the initiation of suit or self help remedies.

The effective date of this Resolution shall be June 1, 2005.

THE GROVE AT HUNTLEY MEADOWS
HOMEOWNERS ASSOCIATION, INC.

By: 
Richard Williams, President

CERTIFICATE OF MAILING

I hereby certify that the foregoing Policy Resolution No. 05-02 concerning the suspension of privileges was mailed this 25th day of April 2005 to all homeowners within the Grove at Huntley Meadows Homeowners Association, Inc.


Rhonda Murray, Property Manager
Sequoia Management Company

THE GROVE AT HUNTLEY MEADOWS HOMEOWNERS ASSOCIATION, INC.

POLICY RESOLUTION NO. 05-02

(Rules Relating to the Suspension of Privileges for Non-Payment of Assessments)

Duly adopted at a meeting of the Board of Directors held April 19, 2015

Motion by: Richard Williams Seconded by: Karen A. Goralesski

	VOTE:			
	YES	NO	ABSTAIN	ABSENT
<u>Richard Williams, President</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Mark P. Wilson, Vice President</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Karen A. Goralesski, Secretary</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Rebecca Newtown, Treasurer</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>George Karsadi, Member at Large</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

At a regular meeting, held on April 19, 2005, and with a quorum of Board members present, Resolution 05-02 is adopted.

K:\07\07548\00001\Policy Resolutions\050415 Suspension of Privileges.doc